

EXHIBIT D

Liviu Vogel - Koeltlletter7/29/08.DOC

From: "Panopoulos, Frank" <fpanopoulos@washdc.whitecase.com>
To: "Liviu Vogel" <LVogel@salonmarrow.com>
Date: 7/29/2008 2:43:05 PM
Subject: Koeltlletter7/29/08.DOC

Liviu:

Attached is a draft letter to Judge Koeltl asking him to grant the hearing on discovery. I tried to keep it simple. Please let me know your comments.

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[W&C Draft: (Washington, DC) July 29, 2008]

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July 29, 2008

VIA FACSIMILE

The Honorable John G. Koeltl
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 1030
New York, N.Y. 10017-1312

Re: *Peterson v. Islamic Republic of Iran*, Case No. 18 Misc. 8302

Dear Judge Koeltl:

We write to respectfully ask Your Honor to permit another hearing before you so that Clearstream Banking S.A. ("Clearstream") can testify and disclose information to Plaintiffs, including documents, in response to discovery requests Plaintiffs served on Clearstream. A hearing with live testimony is required for the same reasons discussed in Clearstream's letter to the Court dated June 23, 2008 with respect to its objections to the Restraining Notices (i.e., Luxembourg's banking secrecy laws). Clearstream and Plaintiffs have discussed the responses and narrowed their differences. The hearing would cover production of documents responsive to the discovery requests and testimony concerning the requests, including those to which Clearstream objects. We anticipate the testimony to refer at times to the binder of documents produced at the June 27 hearing, as well as to new documents, which shall be furnished to the Court and Plaintiffs in the same manner as was done during the June 23 hearing.

While we understand the Court's instruction at the close of the June 27 hearing to bring further proceedings in this case to the Part I Judge, nonetheless we ask the Court with all respect to consider granting our request. Such a hearing would be less time-consuming, simpler, and more efficient for the Court and the Parties if the proceeding were to take place before you. Attached is a proposed scheduling order that Clearstream and Plaintiffs have agreed upon. We are available to further discuss the proposed schedule with the Court by telephone, if necessary.

The Honorable John G. Koeltl

July 29, 2008

Respectfully,

Frank Panopoulos
White & Case LLP
Counsel for *Clearstream Banking S.A.*

Liviu Vogel
Salon Marrow Dyckman Newman & Broudy LLP
Counsel for *Plaintiffs*

FP:wu

Attachment

cc: Sharon L. Schneir, Esq.
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Counsel for *Citibank N.A.*